IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 18956 of 2003

-

Between:

The Singareni Collieries company limited rep by General Manager (Finance), Kothagudem Collieries, Kothagudem

..... PETITIONER

AND

-

1 The Chief Electrical Inspector to Government of A.P.,

Mint Compound, Hyderabad-63.

2 Government of Andhra Pradesh rep by its Principal

Secretary, Energy Department, Secretariat, Buildings,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or directions, exercising its extra ordinary jurisdiction under article 226 of the Constitution of India and issue a Writ or direction to quash the Lr.No.CEIG/Accts/Duty Ac/D. No. 1641/03, dated 8-7-2003 declaring that the demand raised for payment of electricity duty is in direct contravention of the scope and ambit of Sec. 3 of the Electricity Duty Act and declaring that the petitioner is not liable for payment of electricity Duty.

Counsel for the Petitioner: MR.K.SRINIVASAMURTHY

Counsel for the Respondents: G.P. for Irrigation.

The Court Made the Following ORDER:

Heard both sides. At their request the main writ petition itself is taken up for disposal.

It is represented by the learned Government Pleader appearing on behalf of the respondents herein that the question involved as to whether the licensee is liable for payment of electricity duty is no longer *res integra* and this court has already dismissed similar writ petition in W.P.No.8244 of 1994.

Following the same, this Writ Petition is also dismissed. No costs.

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B. Prakash Rao, J.

20th July, 2004

js.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Chief Electrical Inspector to Government of A.P.,

Mint Compound, Hyderabad-63.

2 Government of Andhra Pradesh rep by its Principal

Secretary, Energy Department, Secretariat, Buildings,

Hyderabad.

3 Two CCs to G.P. for Irrigation & Command Area

Development, High Court Buildings, Hyderabad. (OUT)

4 2 CD copies.